

**Federal Defenders  
OF NEW YORK, INC.**

Southern District  
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April 13, 2020

**BY ECF AND EMAIL**

Honorable Lewis J. Liman  
United States District Judge  
Southern District of New York  
500 Pearl Street Room 701  
New York, New York 10007

**Re: United States v. Robert Russo  
16 Cr. 441 (LJL)**

Dear Judge Liman,

I respectfully write on behalf of my client, Robert Russo, in response to the Court's request dated April 3, 2020, for suggested language for a proposed modification of Mr. Russo's sentence requiring him to serve the remainder of his sentence at a halfway house.

As the Court noted during oral argument of the motion, and both counsel agreed, the Court may not have the authority to order the Bureau of Prisons to release Mr. Russo to a halfway house to complete his sentence despite the fact that they have the administrative authority to do so. As a result, the suggested language in the proposed Order conforms to the suggestion made by the Government during oral argument and agreed to by counsel, as the means by which Mr. Russo could complete the remainder of his sentence (which expires on October 6, 2020), in a secure environment outside of the MCC.

Respectfully submitted,

/s/  
Robert M. Baum  
Assistant Federal Defender

cc: Catherine Ghosh, Esq.  
Assistant United States Attorney

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
-----X  
UNITED STATES OF AMERICA

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- v -

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**16 Cr. 441 (LJL)**  
**ORDER**

:

**ROBERT RUSSO**

:

Defendant

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LEWIS J. LIMAN, District Judge

On March 30, 2020, an emergency motion for compassionate release pursuant to 18 U.S.C. §3582(c)(1)(A)(i) was filed to modify sentence so that the defendant may be released to a Residential Reentry Center. After written submissions by the Government in opposition to the motion, oral arguments were held on April 1, 2020.

**IT IS HEREBY ORDERED, that,**

The motion is GRANTED, as follows:

1. Robert Russo, Register number 77749-054, is re-sentenced to TIME SERVED.

2. He shall serve a term of three years of Supervised Release with a special condition that he reside in a Residential Reentry Center until October 6, 2020, to commence immediately upon release. He is to be released and admitted into the Residential Reentry Center as soon as is possible, no later than 14 days following the issuance of this Order. During his residence at the Residential Reentry Center, he is not permitted to leave the facility except for work, religious observance, or

other acceptable reasons as approved by the Probation Department. He must abide by all the rules and regulations of the Residential Reentry Center, which shall include a subsistence payment to the facility based upon income earned.

3. All other standard and special conditions of supervised release previously imposed shall remain in effect.

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**HONORABLE LEWIS J. LIMAN**

United States District Judge

Dated: April , 2020  
New York, New York